

The House accordingly, at 1:00 p.m., adjourned until 10:30 a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by Committees on bills and resolutions, as follows:

Engrossed and Enrolled Bills: Correctly engrossed—HB 343, HCR 28, HCR 37, HCR 59. Correctly enrolled—HB 2, HB 15, HB 102, HB 499.

Insurance: HB 461.

Motor Transportation: HB 182.

Urban Affairs: HB 225, HB 226, SB 65, SB 341.

SENT TO THE GOVERNOR
March 1, 1971

HB 2

HB 102

THIRTY-FIRST DAY—TUESDAY, MARCH 2, 1971

The House met at 10:30 a.m. and was called to order by the Speaker.

The roll of the House was called and the following Members were present:

Mr. Speaker	Carrillo	Floyd	Hubenak
Adams	Cates	Foreman	Hull
Agnich	Cavness	Gammage	Ingram
Allen, John	Christian	Garcia	Johnson
Allred	Clark	Golman	Jones, D.
Angly	Clayton	Grant	Jones, E.
Atwood	Coats	Graves	Jones, G.
Baker	Cobb	Hale	Jungmichel
Bass, B.	Cole	Hanna, Joe	Kaster
Bass, T.	Craddick	Hannah, John	Kilpatrick
Beckham	Cruz	Harding	Kost
Bigham	Daniel	Harris	Kubiak
Blanton	Davis, D.	Hawkins	Lee
Blythe	Davis, H.	Hawn	Lemmon
Bowers	Denton	Haynes	Lewis
Boyle	Doran	Head	Lombardino
Braecklein	Doyle	Heatly	Longoria
Braun	Dramberger	Hendricks	Lovell
Burgess	Earthman	Hilliard	McAlister
Bynum	Farenthold	Holmes, T.	McKissack
Caldwell	Finck	Holmes, Z.	Mengden
Calhoun	Finnell	Howard	Moncrief

Moore, A.	Parker, W.	Semos	Traeger
Moore, G.	Patterson	Shannon	Truan
Moore, T.	Pickens	Sherman	Tupper
Moreno	Poerner	Short	Uher
Murray	Poff	Silber	Vale
Nabers	Presnal	Simmons	Von Dohlen
Nelms	Price	Slack	Ward
Neugent, D.	Reed	Slider	Wayne
Nichols	Rodriguez	Smith	Wieting
Niland	Rosson	Solomon	Williams
Nugent, J.	Salem	Spurlock	Williamson
Ogg	Sanchez	Stroud	Wolff
Orr	Santiesteban	Swanson	Wyatt
Parker, C.	Schulle	Tarbox	

Absent

Allen, Joe	Finney	Ligarde	Stewart
Atwell			

Absent-Excused

Newton	Salter
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A quorum of the House was announced present.

The Invocation was offered by the Honorable Leroy Wieting, as follows:

"As we pray together today, may we pause to remember those in the history of our great state who were responsible for our commemorating this day, Texas Independence Day.

Our Heavenly Father, we thank You for this day and all that is in it. We thank You for the great men in the history of our state who served this state and gained its independence. Grant us, O Lord, a portion of the wisdom, integrity, compassion, determination and dedication which these men possessed. Let us first be of service to You and then be of service to our fellowman, for we know that all things come from You.

Be with our leaders, the Governor, Lieutenant Governor, and the Speaker of this House and each man and woman in government so we may better serve the people of this state.

Be with our Sergeant at Arms, Walter Schaefer, and restore him to health and be with all others who are ill.

In Jesus' Blessed Name, we pray. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence for today on account of important business:

Mr. Salter on motion of Mr. Denton.

Mr. Newton on motion of Mr. Von Dohlen.

MESSAGE FROM THE SENATE

Austin, Texas, March 2, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

SCR 37, By Brooks: In memory of Billy Ray Ramey.

SCR 38, By Hightower, et al: Commending the Texas State Historical Association on its Seventy-fifth Anniversary.

SB 33, By Schwartz: Relating to the authority of a commissioners court to deny a permit for waste disposal on the basis that the waste originates outside the county; and declaring an emergency.

SB 251, By Creighton: Increasing fee of tax assessor and collector for collecting tax; and declaring an emergency.

SB 374, By Bernal, et al: Relating to the authorization for transportation companies which operate in municipalities of the state to set special rates or fares for persons who are over the age of 65 or who are blind or disabled; and declaring an emergency.

SB 396, By Watson: Relating to the jurisdiction of the County Court at Law of McLennan County and the County Court of McLennan County and the transfer of causes and exchange of benches between the two courts; and declaring an emergency.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

BILL AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof, the following enrolled bill and resolutions:

HB 77, Relating to jurisdiction of County Court and County Court at Law of Smith County.

HCR 37, Inviting Dr. Rupert N. Richardson to address a Joint Session of the Legislature.

HCR 43, In memory of Mrs. Oscar J. Sexton.

HCR 44, Making all varieties of bluebonnet the official state flower.

HCR 55, Congratulating Michael Bennett of Galena Park.

HCR 56, Commending Judge R. T. Wilkinson.

HCR 59, In memory of Judge Norman Leonard Dalby.

Representative Finney entered the House and was announced present.

MEMORIAL RESOLUTION ADOPTED

The following Memorial Resolution was adopted unanimously by a rising vote:

HSR 167, by Daniel: In memory of Norman Gene Durdin.

Representatives Ligarde and Joe Allen entered the House and were announced present.

CONGRATULATORY RESOLUTIONS ADOPTED

The following Congratulatory Resolutions were adopted unanimously:

HSR 168, by Daniel: Congratulating Rigby Owen, Jr.

HSR 169, by Pickens: Congratulating Mr. H. S. Samson.

HSR 170, by Wayne: Commending Plainview High School Bulldog basketball team.

ADDRESS ORDERED PRINTED

On motion of Mr. Cavness, the following address by Representative W. S. Heatly was ordered printed in the Journal:

Texas Independence Day

One hundred thirty-five years ago, on this March Second, a determined group of patriots gathered at Washington-on-the-Brazos to declare their independence from an oppressive government.

As their American fathers had declared some sixty years previously, so did the Texas Delegation recognize and resolve that "When a government has ceased to protect the lives, liberty, and property of the people from whom its legitimate powers are derived . . ." no recourse remains except to sever all political ties and declare their independence.

As we pause on this hallowed day to observe the anniversary of the Texas Declaration of Independence, let us be reminded that this great document was endorsed with the blood of those who fell at the Alamo, at Goliad, and at San Jacinto.

Having made the decision that spelled death or liberty to all Texans and the defenders of the Alamo, the soul of a great state was born; ours is a noble heritage.

Let us, my colleagues, be ever mindful of the sacrifices made that we might convene here today as free men, representing a free government "of the people, by the people, and for the people."

It is fitting that we pause on this date to renew our faith in the divine wisdom of that small band of patriots who gathered at Washington-on-the-Brazos to set the course of this great state.

It is equally fitting on this day that we pause to renew our pledge of loyalty to the ideals and principles of freedom that unite us with those who perished at the Alamo, at Goliad, and at San Jacinto.

This is the time, then—and this is the day—to reflect on our heritage—a time to take inventory—a time for introspection—and a time to look forward.

Let us ordain, then, that the blood of all Texans, shed in the causes of freedom shall not have been shed in vain.

Yet, the enemies of freedom are always with us—apathy, indifference, lack of understanding, and compromise of principles.

When we abdicate our responsibilities, we relinquish the right to choose our course of action.

Had our forefathers abdicated their responsibilities and their dedication to a free government 135 years ago, the course of our nation's history would have been changed.

The Texas Declaration of Independence, my fellow Texans, laid the foundation for a great state and the cornerstone of a great nation, "conceived in liberty and dedicated to the proposition that all men are created equal."

MASCOT RESOLUTION

The following Mascot Resolution was referred to the Committee on House Administration:

HSR 165, by Jungmichel: Naming Tim Von Dohlen II, Christopher Von Dohlen and Patrick Von Dohlen Mascots of the House.

HOUSE JOINT RESOLUTION ON FIRST READING

The following House Joint Resolution was today laid before the House, read first time and referred to the Committee on Constitutional Amendments:

By Jungmichel:

HJR 50, A Joint Resolution proposing an Amendment to Sections 4 and 5, Article XI, Constitution of the State of Texas, to lower the minimum population required for a city to adopt or amend a home-rule charter to include cities having more than 2,500 inhabitants.

**HOUSE BILLS ON FIRST
READING**

The following House Bills were today laid before the House, read first time and referred to Committees, as follows:

By D. Jones:

HB 782, A bill to be entitled An Act relating to reapportionment of congressional districts; repealing Chapter 342, Acts of the 60th Legislature, Regular Session, 1967 (Article 197c, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Congressional and Legislative Districts.

By D. Jones:

HB 783, A bill to be entitled An Act relating to reapportionment of state representative districts; amending Chapter 351, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 195a, Vernon's Texas Civil Statutes); repealing Chapters 733 and 808, Acts of the 61st Legislature, Regular Session, 1969 (Articles 195a-1 and 195a-2, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Congressional and Legislative Districts.

By A. Moore:

HB 784, A bill to be entitled An Act permitting an individual to petition for leave to file information in the nature of a quo warranto; amending Article 6253, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

Referred to Committee on Judiciary.

By Carrillo:

HB 785, A bill to be entitled An Act relating to an increased maintenance tax in certain school districts; and declaring an emergency.

Referred to Committee on School Districts.

By Christian:

HB 786, A bill to be entitled An Act providing for the creation of a Hospital District over all of Commissioners Precinct No. 3 of Randall County, Texas; making provision for such District to provide for the purchase, construction, acquisition, repair or renovations of buildings and improvements and equipping the same for hospital district purposes, including the power and authority to issue bonds for such purpose or purposes, there being no hospital owned in whole or in part by any city, town or county situated wholly or partly within the area of the District which the District might acquire upon assumption of indebtedness incurred by any such city, town or county for hospital purposes; prescribing a procedure for an election on the creation of such District and the levy of a tax for its maintenance, support and payment of indebtedness; providing the powers of the District and its governing body and its procedures in the

governing of said District; enacting other provisions incident and related to the subject and purpose; and declaring an emergency.

Referred to Committee on Counties.

By Haynes, Doyle, C. Parker, Kilpatrick, and Smith:

HB 787, A bill to be entitled An Act relating to the levying of a student union fee at Lamar State College of Technology; amending Chapter 403, Acts of the 51st Legislature, Regular Session, 1949 (Articles 2637a, et seq., Vernon's Texas Civil Statutes), by adding Section 8a; and declaring an emergency.

Referred to Committee on Higher Education.

By Haynes:

HB 788, A bill to be entitled An Act relating to exempting from the licensing provisions of the Texas Shrimp Conservation Act certain boats in the coastal waters of Orange or Jefferson County; amending Section 11A, Texas Shrimp Conservation Act, as amended (Article 4075b, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Parks and Wildlife.

By Haynes:

HB 789, A bill to be entitled An Act relating to the payment of certain fees by parties in family law matters in Orange County and the performance of certain duties by the Orange County Juvenile Board and the Juvenile Probation Department; amending Sections 8 through 11, Chapter 325, Acts of the 61st Legislature, Regular Session, 1969 (Article 5139ZZ, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Judiciary.

By Haynes:

HB 790, A bill to be entitled An Act repealing Section 5, Chapter 104, Acts of the 48th Legislature, Regular Session, 1943 (Article 5154a, Vernon's Texas Civil Statutes), relating to registration of labor union organizers with the Secretary of State; and declaring an emergency.

Referred to Committee on Labor.

By Nichols, Braun, Bigham, and Reed:

HB 791, A bill to be entitled An Act relating to the unearned premium reserve account and income on unearned premium accounts of certain insurers; amending Chapter 5, Texas Insurance Code, as amended, by adding Article 5.01-2; and declaring an emergency.

Referred to Committee on Insurance.

By Bynum and Poff:

HB 792, A bill to be entitled An Act defining the term "eligible city";

authorizing each eligible city to issue revenue bonds for off-street and on-street parking purposes; providing for the payment and security of said bonds, and liens, pledges, and encumbrances in connection therewith; providing for the additional pledge of taxes to the payment of said bonds and operation and maintenance expenses to the extent revenues are not available; providing for refunding bonds; enacting other provisions relating to the subject; prescribing a severability provision; and declaring an emergency.

Referred to Committee on Urban Affairs.

By Bynum:

HB 793, A bill to be entitled An Act relating to the issuance or renewal of permits or licenses under the Liquor Control Act to persons or locations associated with certain delinquent taxes; amending Article I, Texas Liquor Control Act, as amended (Article 666-1, et seq., Vernon's Texas Penal Code), by adding a Section 12c; amending Article II, Texas Liquor Control Act, as amended (Article 667-1, et seq., Vernon's Texas Penal Code), by adding a Section 4a; and declaring an emergency.

Referred to Committee on Liquor Regulation.

By Bynum:

HB 794, A bill to be entitled An Act relating to the selection of applicants for admission to state-supported institutions of higher education with limited enrollments; and declaring an emergency.

Referred to Committee on Higher Education.

By Lemmon:

HB 795, A bill to be entitled An Act requiring all agricultural chemicals used after 1976 to be biodegradable; providing a penalty; and declaring an emergency.

Referred to Committee on Agriculture.

By Lemmon:

HB 796, A bill to be entitled An Act relating to the standard provisions required in policies of group life insurance; amending Section 2, Article 3.50, Texas Insurance Code, as amended; and declaring an emergency.

Referred to Committee on Insurance.

By Lemmon:

HB 797, A bill to be entitled An Act amending Sections 9, 12, and 15 of Chapter 315, Acts of the 49th Legislature, Regular Session, as amended by Chapter 289, Acts of the 57th Legislature, Regular Session, 1961; increasing the maximum annual permit fee to \$20.00; increasing the permit reinstatement fee to \$10.00; increasing the maximum fee to be charged for the issuance of a reciprocal certificate of "Certified Public Accountant" to \$75.00; increasing the maximum fee to be charged for the first examination of a candidate for certification as a "Certified Public Accountant" to

\$75.00; increasing the maximum fee to be charged for subsequent examinations of a candidate for certification as a "Certified Public Accountant" to \$30.00 for accounting practice and to \$15.00 for each of theory of accounts, auditing, and commercial law; containing other provisions; providing a severability clause; and declaring an emergency.

Referred to Committee on Governmental Affairs and Efficiency.

By Lemmon:

HB 798, A bill to be entitled An Act amending Section 4 of the Public Accountancy Act of 1945, Chapter 315, Acts of the 49th Legislature, Regular Session, as amended by Chapter 369, Acts of the 52nd Legislature, Regular Session, as amended by Chapter 493, Acts of the 56th Legislature, Regular Session, and as amended by Chapter 289, Acts of the 57th Legislature, Regular Session; amending Section 12(a) of the Public Accountancy Act of 1945, Chapter 315, Acts of the 49th Legislature, Regular Session, as amended by Chapter 289, Acts of the 57th Legislature, Regular Session; repealing Section 22(a)(9) of the Public Accountancy Act of 1945, Chapter 315, Acts of the 49th Legislature, Regular Session, and renumbering Sections 22(a)(10) and 22(a)(11) of Chapter 315, Acts of the 49th Legislature, Regular Session; providing that all members of the State Board of Public Accountancy may be certified public accountants; eliminating the requirement of United States citizenship for certified public accountants; establishing residency requirements for candidates for the certificate of "Certified Public Accountant" who are not United States citizens; containing other provisions; providing a severability clause; and declaring an emergency.

Referred to Committee on Governmental Affairs and Efficiency.

By Williamson and Ingram:

HB 799, A bill to be entitled An Act relating to the treatment of persons with various respiratory diseases at East Texas Tuberculosis Hospital; amending Sections 1 through 6, Chapter 528, Acts of the 61st Legislature, Regular Session, 1969 (Article 4477-13, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Public Health.

By Williamson:

HB 800, A bill to be entitled An Act relating to municipal annexation; amending Article 974, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

Referred to Committee on Urban Affairs.

By Mengden:

HB 801, A bill to be entitled An Act relating to the time a person must serve before becoming eligible for parole; providing a longer period before eligibility for parole for person convicted in this state of a felony two or more times; amending Subsection (a), Section 15, Article 42.12, Code of Criminal Procedure, 1966, as amended; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Mengden:

HB 802, A bill to be entitled An Act providing new penalties for certain violations of the Uniform Narcotic Drug Act and of the laws relating to dangerous drugs; defining "delivery" as including an offer to sell, dispense, give away, or supply; amending Subsection (b), Section 2, and Section 15, Chapter 425, Acts of the 56th Legislature, Regular Session, 1959, as amended (Article 726d, Vernon's Texas Penal Code); amending Section 23, Uniform Narcotic Drug Act, as amended (Article 725b, Vernon's Texas Penal Code); and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Foreman, H. Davis, and Cavness:

HB 803, A bill to be entitled An Act relating to the salaries of assistants to the county school superintendent in certain counties; and declaring an emergency.

Referred to Committee on Counties.

RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof, the following enrolled resolution:

SCR 35, In memory of Mr. Del S. Beeman.

CONGRATULATORY RESOLUTION ADOPTED

The following Congratulatory Resolution was adopted unanimously:

HSR 171, by Bigham: Congratulating the City of Belton and its citizens.

HB 343 ON THIRD READING

The Speaker laid before the House as postponed business on its final passage,

HB 343, Adopting the Water Code.

The bill was read third time on yesterday and further consideration of the bill was postponed until 10:30 a.m. today.

Mr. Clayton offered the following amendment to HB 343:

Amend the first sentence of Section 11.207, on lines 3-10, page 59 of HB 343 to read as follows: "Except for proceeds from the sale of water development bonds and proceeds from the sale of bonds of political subdivisions as provided by Section 11.415 of this code, all money received by the board in any fiscal year, including all amounts received as repayment of loans to political subdivisions and interest on those loans, shall be credited to the clearance fund."

The amendment was adopted without objection.

Mr. Clayton offered the following amendment to HB 343:

Amend Subsection (a), Section 51.187, on lines 41 through 44, page 196, of HB 343 to read as follows:

"(a) The district may enter into a contract to sell waterpower privileges if power can be generated from water flowing from the district's reservoirs or within its canal system."

The amendment was adopted without objection.

Mr. Clayton offered the following amendment to HB 343:

Amend Subsection (f), Section 51.563, on lines 27 and 28, page 243, of HB 343 to read as follows:

"(f) The statement shall be filed on or before March 31 of each year."

The amendment was adopted without objection.

Mr. Hale offered the following amendment to HB 343:

Amend Section 6 on page 530 of HB 343 to read as follows:

"Sec. 6. Saving Provision. (a) The enactment of this code does not affect the validity or change the effect of Subsection 6, Chapter 293, Acts of the 44th Legislature, Regular Session, 1935 (Article 7652a, Vernon's Texas Civil Statutes); Section 146, Chapter 25, Acts of the 39th Legislature, Regular Session, 1925 (Article 7880-146, Vernon's Texas Civil Statutes); and Section 2, Chapter 760, Acts of the 61st Legislature, Regular Session, 1969.

"(b) The enactment of this code shall not repeal or affect any other laws passed by the 62nd Legislature."

The amendment was adopted without objection.

HB 343, as amended, was passed by the following vote:

Yeas—141

Adams	Braecklein	Cruz	Gammage
Agnich	Braun	Daniel	Garcia
Allen, Joe	Burgess	Davis, D.	Golman
Allen, John	Bynum	Davis, H.	Grant
Allred	Calhoun	Denton	Graves
Angly	Carrillo	Doran	Hale
Atwood	Cates	Doyle	Hanna, Joe
Baker	Cavness	Dramberger	Hannah, John
Bass, B.	Christian	Earthman	Harding
Bass, T.	Clark	Farenthold	Harris
Beckham	Clayton	Finck	Hawkins
Bigham	Coats	Finnell	Hawn
Blanton	Cobb	Finney	Haynes
Bowers	Cole	Floyd	Head
Boyle	Craddick	Foreman	Heatly

Hendricks	Lombardino	Patterson	Solomon
Hilliard	Longoria	Pickens	Spurlock
Holmes, T.	Lovell	Poerner	Stewart
Holmes, Z.	McAlister	Poff	Stroud
Howard	McKissack	Presnal	Swanson
Hubenak	Moncrief	Price	Tarbox
Hull	Moore, A.	Reed	Traeger
Ingram	Moore, G.	Rosson	Truan
Johnson	Moore, T.	Salem	Tupper
Jones, D.	Moreno	Sanchez	Uher
Jones, E.	Murray	Santiesteban	Vale
Jones, G.	Nabers	Schulle	Von Dohlen
Jungmichel	Nelms	Semos	Ward
Kaster	Neugent, D.	Shannon	Wayne
Kilpatrick	Nichols	Sherman	Wieting
Kost	Niland	Short	Williams
Kubiak	Nugent, J.	Silber	Wolff
Lee	Ogg	Simmons	Wyatt
Lemmon	Orr	Slack	
Lewis	Parker, C.	Slider	
Ligarde	Parker, W.	Smith	

Nays—2

Caldwell Williamson

Present—Not Voting

Blythe

Absent

Atwell Mengden Rodriguez

Absent-Excused

Newton Salter

Mr. Clayton moved to reconsider the vote by which HB 343 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 448—SET AS A SPECIAL ORDER

Mr. Grant Jones moved to suspend all necessary rules and to set HB 448 as a Special Order for 9:00 a.m. tomorrow.

The motion prevailed without objection.

VOTE RECORDED

Mr. Carrillo requested to be recorded as voting Nay on the motion to set HB 448 as a special order for 9:00 a.m., March 3, 1971.

REASON FOR VOTE ON HB 448

I voted No on the motion to set HB 448 on special order because I am

opposed to a tuition increase on higher education for resident students of Texas.

Signed: Clyde Haynes, Jr.

HB 730—SET AS A SPECIAL ORDER

Mr. Kilpatrick moved to set HB 730 as a Special Order for 11:00 a.m. tomorrow.

The motion prevailed without objection.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence for today on account of important state business:

Mr. Coats on motion of Mr. Ingram.

Mr. Boyle on motion of Mr. Ingram.

HB 235 ON THIRD READING

The Speaker laid before the House on its third reading and final passage,

HB 235, Establishing duties of public school principals.

The bill was read third time.

Mr. Pickens offered the following amendment to HB 235:

Amend HB 235 as engrossed by adding a new subsection (d) under 16.08 to read as follows:

(d) Nothing herein shall be construed as a limitation on the powers, responsibilities and obligation of the school board as now prescribed by law.

The amendment was adopted without objection.

HB 235, as amended, was passed by the following vote:

Yeas—141

Adams	Bowers	Craddick	Floyd
Agnich	Braecklein	Cruz	Foreman
Allen, Joe	Braun	Daniel	Gammage
Allen, John	Burgess	Davis, D.	Garcia
Allred	Bynum	Davis, H.	Golman
Angly	Caldwell	Denton	Grant
Atwood	Carrillo	Doran	Graves
Baker	Cates	Doyle	Hale
Bass, B.	Cavness	Dramberger	Hanna, Joe
Bass, T.	Christian	Earthman	Hannah, John
Beckham	Clark	Farenthold	Harding
Bigham	Clayton	Finck	Harris
Blanton	Cobb	Finnell	Hawkins
Blythe	Cole	Finney	Hawn

Haynes	Ligarde	Parker, W.	Smith
Head	Lombardino	Patterson	Solomon
Heatly	Longoria	Pickens	Spurlock
Hendricks	Lovell	Poerner	Stewart
Hilliard	McAlister	Poff	Stroud
Holmes, T.	McKissack	Presnal	Swanson
Holmes, Z.	Mengden	Price	Tarbox
Howard	Moncrief	Reed	Traeger
Hubenak	Moore, A.	Rodriguez	Truan
Hull	Moore, G.	Rosson	Tupper
Ingram	Moore, T.	Salem	Vale
Johnson	Moreno	Sanchez	Von Dohlen
Jones, D.	Murray	Santiesteban	Ward
Jones, E.	Nabers	Schulle	Wayne
Jones, G.	Nelms	Semos	Wieting
Jungmichel	Neugent, D.	Shannon	Williams
Kaster	Nichols	Sherman	Williamson
Kost	Niland	Short	Wolff
Kubiak	Nugent, J.	Silber	Wyatt
Lee	Ogg	Simmons	
Lemmon	Orr	Slack	
Lewis	Parker, C.	Slider	

Nays—1**Uher****Absent**

Atwell	Calhoun	Kilpatrick
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Absent-Excused

Boyle	Coats	Newton	Salter
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Mr. Kubiak moved to reconsider the vote by which HB 235 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 1 ON THIRD READING

The Speaker laid before the House on its third reading and final passage,

HB 1, Concerning compensation of official shorthand reporter for the 4th Judicial District.

The bill was read third time and was passed by the following vote:

Yeas—139

Adams	Atwood	Blythe	Caldwell
Agnich	Baker	Bowers	Calhoun
Allen, Joe	Bass, B.	Braecklein	Carrillo
Allen, John	Bass, T.	Braun	Cates
Allred	Beckham	Burgess	Cavness
Angly	Bigham	Bynum	Christian

Clark	Hawkins	McKissack	Santiesteban
Clayton	Hawn	Mengden	Schulle
Cobb	Haynes	Moncrief	Semos
Cole	Head	Moore, A.	Shannon
Craddick	Heatly	Moore, G.	Sherman
Cruz	Hendricks	Moore, T.	Short
Daniel	Hilliard	Moreno	Silber
Davis, D.	Holmes, T.	Murray	Simmons
Davis, H.	Holmes, Z.	Nabers	Slack
Denton	Howard	Nelms	Slider
Doran	Hubenak	Neugent, D.	Smith
Doyle	Hull	Nichols	Solomon
Dramberger	Ingram	Niland	Spurlock
Earthman	Johnson	Nugent, J.	Stewart
Farenthold	Jones, D.	Ogg	Swanson
Finck	Jones, E.	Orr	Tarbox
Finnell	Jones, G.	Parker, C.	Traeger
Finney	Jungmichel	Parker, W.	Truan
Floyd	Kaster	Patterson	Tupper
Foreman	Kilpatrick	Pickens	Vale
Gammage	Kubiak	Poerner	Von Dohlen
Garcia	Lee	Poff	Ward
Golman	Lemmon	Presnal	Wayne
Grant	Lewis	Price	Wieting
Hale	Ligarde	Reed	Williams
Hanna, Joe	Lombardino	Rodriguez	Williamson
Hannah, John	Longoria	Rosson	Wolff
Harding	Lovell	Salem	Wyatt
Harris	McAlister	Sanchez	

Present—Not Voting

Blanton	Stroud	Uher
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Absent

Atwell	Graves	Kost
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Absent-Excused

Boyle	Coats	Newton	Salter
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Mr. Head moved to reconsider the vote by which HB 1 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 253 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment,

HB 253, A bill to be entitled An Act relating to the status of retired judges as judicial officers; amending Chapter 99, Acts of the 51st Legislature, Regular Session, 1949, as amended (Article 6228b, Vernon's Texas Civil Statutes), by adding a new Section 7A; and declaring an emergency.

The bill was read second time.

(Mr. Hale in the Chair)

Mr. Cobb offered the following amendment to HB 253:

Amend HB 253 by adding the following language on line 28, ". . . or by a Presiding Judge of any Administrative Judicial District . . .", to line 28 following the words "Supreme Court."

The amendment was adopted without objection.

Mr. Kaster offered the following amendment to HB 253:

Amend HB 253 by striking out Section 7A paragraph (b).

Mr. Cobb moved to table the above amendment.

The motion to table the amendment by Mr. Kaster prevailed.

VOTE RECORDED

Mr. Kubiak requested to be recorded as voting Nay on the motion to table the amendment offered by Mr. Kaster to HB 253.

HB 253, as amended, was passed to engrossment.

Mr. Cobb moved to reconsider the vote by which HB 253 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

VOTE RECORDED

Mr. Kubiak requested to be recorded as voting Nay on the passage to engrossment of HB 253.

HB 600 ON SECOND READING

The Chair laid before the House on its second reading and passage to engrossment,

HB 600, A bill to be entitled An Act relating to the authorization for transportation companies which operate in municipalities of the state to set special rates or fares for persons who are over the age of 65 or who are blind or disabled; and declaring an emergency.

The bill was read second time and was passed to engrossment.

MOTION TO PLACE HB 600 ON THIRD READING

Mr. Lombardino moved that the constitutional rule requiring bills to be read on three several days be suspended and that HB 600 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—106

Allen, Joe	Denton	Jungmichel	Rosson
Allen, John	Dramberger	Kilpatrick	Salem
Allred	Farenthold	Kost	Sanchez
Angly	Finnell	Kubiak	Santiesteban
Baker	Finney	Lemmon	Semos
Bass, B.	Foreman	Lewis	Shannon
Beckham	Gammage	Lombardino	Short
Bigham	Garcia	Longoria	Simmons
Blanton	Golman	Lovell	Slack
Blythe	Grant	McKissack	Slider
Braecklein	Hannah, John	Moncrief	Smith
Braun	Harding	Moore, A.	Solomon
Burgess	Harris	Moore, G.	Spurlock
Caldwell	Hawkins	Murray	Stewart
Carrillo	Hawn	Nelms	Stroud
Cates	Haynes	Neugent, D.	Swanson
Cavness	Head	Niland	Tarbox
Christian	Heatly	Ogg	Traeger
Clark	Hendricks	Orr	Truan
Clayton	Hilliard	Parker, C.	Vale
Cobb	Holmes, T.	Parker, W.	Von Dohlen
Cole	Holmes, Z.	Poerner	Ward
Craddick	Howard	Poff	Wieting
Cruz	Hubenak	Presnal	Williams
Daniel	Hull	Price	Williamson
Davis, D.	Ingram	Reed	
Davis, H.	Johnson	Rodriguez	

Nays—34

Adams	Finck	Ligarde	Sherman
Agnich	Floyd	McAlister	Silber
Atwood	Graves	Mengden	Tupper
Bass, T.	Hanna, Joe	Moreno	Uher
Bowers	Jones, D.	Nabers	Wayne
Bynum	Jones, E.	Nichols	Wolff
Doran	Jones, G.	Patterson	Wyatt
Doyle	Kaster	Pickens	
Earthman	Lee	Schulle	

In The Chair

Hale

Absent

Atwell	Moore, T.	Nugent, J.
Calhoun		

Absent-Excused

Boyle	Coats	Newton	Salter
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HB 104 ON SECOND READING

The Chair laid before the House on its second reading and passage to engrossment,

HB 104, A bill to be entitled An Act relating to a temporary registration permit for trucks, truck-tractors, trailers, and semitrailers of a nonresident owner used in certain movement of farm products; amending Section 2A, Chapter 18, Acts of the 41st Legislature, 5th Called Session, 1930, as amended (Article 827b, Vernon's Texas Penal Code); and declaring an emergency.

The bill was read second time and was passed to engrossment.

Mr. Clayton moved to reconsider the vote by which HB 104 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

SB 91 ON THIRD READING
(Mr. Presnal—House Sponsor)

The Chair laid before the House on its third reading and final passage,

SB 91, Authorizing state instrumentalities to make advance payment to Federal and State Agencies for merchandise.

The bill was read third time and was passed by the following vote:

Yeas—141

Adams	Davis, D.	Howard	Nichols
Agnich	Davis, H.	Hubenak	Niland
Allen, Joe	Denton	Hull	Nugent, J.
Allen, John	Doran	Ingram	Ogg
Allred	Doyle	Johnson	Orr
Angly	Dramberger	Jones, D.	Parker, C.
Atwood	Earthman	Jones, E.	Parker, W.
Baker	Farenthold	Jones, G.	Patterson
Bass, B.	Finck	Jungmichel	Pickens
Bass, T.	Finnell	Kaster	Poerner
Beckham	Finney	Kilpatrick	Poff
Bigham	Floyd	Kost	Presnal
Blanton	Foreman	Kubiak	Price
Bowers	Gammage	Lee	Reed
Braecklein	Garcia	Lemmon	Rodriguez
Braun	Golman	Lewis	Rosson
Burgess	Grant	Ligarde	Salem
Bynum	Graves	Lombardino	Sanchez
Caldwell	Hanna, Joe	Longoria	Santiesteban
Calhoun	Hannah, John	Lovell	Schulle
Carrillo	Harding	McAlister	Semos
Cates	Harris	McKissack	Shannon
Cavness	Hawkins	Mengden	Sherman
Christian	Hawn	Moncrief	Short
Clark	Haynes	Moore, A.	Silber
Clayton	Head	Moore, G.	Simmons
Cobb	Heatly	Moreno	Slack
Cole	Hendricks	Murray	Slider
Craddick	Hilliard	Nabers	Smith
Cruz	Holmes, T.	Nelms	Solomon
Daniel	Holmes, Z.	Neugent, D.	Spurlock

Stewart	Truan	Ward	Wolff
Stroud	Tupper	Wayne	Wyatt
Swanson	Uher	Wieting	
Tarbox	Vale	Williams	
Traeger	Von Dohlen	Williamson	

In The Chair**Hale****Present—Not Voting****Blythe****Absent****Atwell** **Moore, T.****Absent-Excused****Boyle** **Coats** **Newton** **Salter**

Mr. Presnal moved to reconsider the vote by which SB 91 was passed and to table the motion to reconsider.

The motion to table prevailed.

PRESENTATION TO MR. AND MRS. MARTIN NEARY

The Chair recognized the Honorable Charles Patterson who addressed the House briefly and presented Mr. and Mrs. Martin Neary of London, England, with a certificate making Mr. and Mrs. Neary Honorary Texans. Mr. Neary is organist for the Parliament of England.

Mr. Neary addressed the House expressing appreciation for the presentation.

RECESS

Mr. Sherman moved that the House recess until 9:00 a.m. tomorrow.

The motion prevailed without objection.

The House accordingly, at 12:27 p.m., recessed until 9:00 a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by Committees on bills and resolutions, as follows:

Appropriations: HB 448.

Counties: HB 384.

Elections: SB 23, SB 24.

Engrossed and Enrolled Bills: Correctly engrossed—HB 1, HB 187, HB 235, HB 453, HCR 7, HCR 60. Correctly enrolled—HB 77, HCR 37, HCR 43, HCR 44, HCR 55, HCR 56, HCR 59.

Governmental Affairs and Efficiency: HB 66, HB 403, HB 590.

Parks and Wildlife: HB 290, HB 326.

Revenue and Taxation: HB 730.

School Districts: HB 126.

SENT TO THE GOVERNOR
March 2, 1971

HB 77

HCR 37

HCR 43

HCR 44

HCR 55

HCR 56

HCR 59

BILLS TRANSMITTED TO GOVERNOR
UNDER ARTICLE 16, SECTION 59

HB 826 transmitted by the Chief Clerk to the Governor on March 1, 1971.

HB 827 transmitted by the Chief Clerk to the Governor on March 1, 1971.

In Memory of
Doyle Oliver Curington

Mr. Foreman offered the following resolution:

HCR 62

Whereas, Citizens of Texas and Members of the Texas Legislature were greatly saddened by the loss of one of the state's most distinguished citizens in the passing of Doyle Oliver Curington on December 11, 1970; and

Whereas, Mr. Curington served as Sergeant at Arms in the Texas House of Representatives during the Fifty-fourth and Fifty-fifth Legislatures; and

Whereas, Born in Runnels County on March 12, 1920, he was one of five children of the late Mr. Alfred P. Curington, a native Texan, and Mrs. Lennie Curington, a native of Alabama; and

Whereas, When he was 7 years of age, Mr. Curington moved to Austin with his family, where he attended the Austin Public Schools; he later attended Nixon-Clay Business College in Austin; and

Whereas, During his early years, Mr. Curington's aspirations were to become a law enforcement officer, a dream which he was able to realize at an early age by working in the Identification Bureau of the Austin Police Department; and

Whereas, He later was employed by the Texas Department of Public Safety in its Identification Bureau; when he became of eligible age, he was accepted to enter the Texas Highway Patrol Training School; and

Whereas, His first station was in San Benito, where he served until he received a severe leg injury in the line of duty in February 1944; he subsequently was transferred to Austin where he served until he was transferred to The Texas Rangers in 1948; and

Whereas, Mr. Curington served as special officer to Gov-

ernor Allan Shivers during his administrations as Governor of Texas; and

Whereas, After resigning from the Texas Rangers in 1957, Mr. Curington became associated with Hughes Tool Company as a special investigator; he later entered the real estate business in which he was active at the time of his death; and

Whereas, He received the Texas Safety Association Award of Merit, First Place, in May, 1951; and

Whereas, He was married, in 1945, to Miss Modena Riddell, daughter of veteran officer and the longtime sheriff of Burnet County, Wallace Riddell; and

Whereas, Doyle Oliver Curington was a devoted husband and loving father who contributed much to his profession and to the State of Texas by his outstanding and courageous life, an inspiring example to those around him, at home, at work, and in his community; and

Whereas, He is survived by his wife; one son, Timothy Doyle Curington; and two daughters, Mary Anne Curington and Rachel Lynne Curington; and

Whereas, The Legislature of the State of Texas wishes to pay tribute to Doyle Oliver Curington for his many contributions to the law enforcement profession and to the State of Texas, and to extend sympathy to his family; now, therefore, be it

Resolved by the House of Representatives of the 62nd Legislature, the Senate concurring, That by this Resolution the Texas Legislature and all the people of Texas commend and pay tribute to Doyle Oliver Curington, distinguished citizen and public servant; and, be it further

Resolved, That official copies of this Resolution be prepared for members of his family as an expression of profound sympathy from the Legislature and all the people of Texas.

Signed: Foreman, H. Davis and Cavness

The resolution was read and was unanimously adopted by a rising vote.

On motion of Mr. Harold Davis the names of all the Members of the House were added to the resolution as signers thereof.

THIRTY-FIRST DAY (Continued)—WEDNESDAY, MARCH 3, 1971

The House met at 9:00 a.m. and was called to order by the Speaker.

The roll of the House was called and the following Members were present:

Mr. Speaker	Doran	Jungmichel	Price
Adams	Doyle	Kaster	Reed
Agnich	Dramberger	Kost	Rodriguez
Allen, Joe	Earthman	Kubiak	Rosson
Allen, John	Farenthold	Lee	Salem
Angly	Finck	Lemmon	Salter
Atwell	Finnell	Lewis	Sanchez
Atwood	Finney	Ligarde	Schulle
Baker	Floyd	Lombardino	Semos
Bass, T.	Foreman	Longoria	Shannon
Beckham	Gammage	Lovell	Sherman
Bigham	Garcia	McAlister	Short
Blanton	Grant	McKissack	Silber
Blythe	Graves	Mengden	Simmons
Bowers	Hale	Moncrief	Slider
Braecklein	Hanna, Joe	Moore, A.	Smith
Braun	Hannah, John	Moore, G.	Solomon
Burgess	Harding	Moore, T.	Spurlock
Bynum	Harris	Moreno	Stewart
Caldwell	Hawkins	Murray	Swanson
Calhoun	Hawn	Nabers	Tarbox
Carrillo	Haynes	Nelms	Traeger
Cates	Head	Neugent, D.	Truan
Cavness	Heatly	Nichols	Tupper
Christian	Hendricks	Niland	Uher
Clark	Hilliard	Nugent, J.	Vale
Clayton	Holmes, T.	Ogg	Von Dohlen
Cobb	Holmes, Z.	Orr	Ward
Cole	Howard	Parker, C.	Wayne
Craddick	Hubenak	Parker, W.	Wieting
Cruz	Hull	Patterson	Williams
Daniel	Ingram	Pickens	Williamson
Davis, D.	Jones, D.	Poerner	Wolff
Davis, H.	Jones, E.	Poff	Wyatt
Denton	Jones, G.	Presnal	

Absent

Allred	Golman	Kilpatrick	Santiesteban
Bass, B.	Johnson	Newton	Slack

Absent-Excused

Boyle	Coats	Stroud
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A quorum of the House was announced present.

The Invocation was offered by Father Elbert Harris, St. Peter Claver Catholic Church, Houston, Texas, as follows:

"Almighty and Provident Father, we bow our heads in acknowledgement of Your sovereignty and majesty. We praise You for Your glory and for manifesting it towards us.